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RUEHLB/AMEMBASSY BEIRUT PRIORITY 0038
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C O N F I D E N T I A L SAN JOSE 001841

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DEPT FOR WHA/CEN AND NEA/IPA

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TAGS: [PREL](#) [PGOV](#) [IS](#) [XK](#) [CS](#)
SUBJECT: COSTA RICA DEFENDS EMBASSY MOVE TO TEL AVIV

REF: A. A) FRISBIE-SHAPIRO TELCON 8/15/06
[1](#)B. B) SAN SALVADOR 2017
[1](#)C. C) WHA-SAN JOSE EMAIL 8/16/06

Classified By: CDA Russell L. Frisbie for reason 1.4 (d)

[1](#)1. (C) SUMMARY: In a public ceremony marking his administration's 100 days in office, President Oscar Arias explained that his government's decision to move its embassy from Jerusalem to Tel Aviv was not a slap to Israel, but was consistent with Costa Rica's "respect" for UN resolutions and international law. The GOCR expects the decision will improve relations with moderate Arab states. The sudden timing took many by surprise. FM Stagno informed a stunned Israeli charge of the move the evening of August 15, stressing that Arias himself had made the decision, but the entire GOCR concurred. Stagno also asked the Israelis to inform the USG; the newly-arrived Israeli Amb-designate briefed Ambassador Langdale. Stagno subsequently insisted to the Ambassador on August 17 that the GOCR really was waiting for the right moment, had consulted closely with President Saca in El Salvador, and had refrained from acting until the violence in Lebanon was over. We suspect that the decision to move the Embassy was timed more to Arias's 100-day marker than to anything else, and it provided another opportunity for Don Oscar to burnish his involvement in global issues. Arias could employ his stature more effectively in this hemisphere, particularly in Cuba. We will continue to nudge him in that direction. END SUMMARY.

THE PUBLIC EXPLANATION

[1](#)2. (U) Costa Rican President Oscar Arias used a special August 16 public cabinet session marking his administration's first 100 days in office to defend and explain his government's short-notice decision to move its embassy in Israel from Jerusalem to Tel Aviv. Arias couched the decision as consistent with Costa Rica's "respect" for UN resolutions and international law, and as "rectifying" an "historical error" (the move of the GOCR embassy to Jerusalem in 1982) which had "damaged" Costa Rica internationally and "deprived" Costa Rica of wider "friendship with the Arab world." The President stressed that the decision was not intended to insult Israel, a "brave and admirable nation," but rather to confirm to international law and expand Costa Rican relations with as many nations as possible. After the ceremonial cabinet session, Arias reiterated to the media, ". . . as a small country which bases its foreign policy on

international law and human rights, Costa Rica must comply with UNSC resolutions." He blamed himself for not moving the embassy during his first administration, but explained that he did not want to "open another front" during the Central American peace process.

13. (U) The MFA,s 13-page legal brief defending the decision on the basis of UNGA and UNSC resolutions dating back to 1947, echoed Arias,s comments. The brief (transmitted to Costa Rican diplomats around the world) concluded (informal translation):

"This decision was necessary in light of Costa Rica,s historic attachment to international law, and in particular in light of:

- the legality of UNSC resolutions;
- the inadmissibility of seizing territory by force;
- the applicability of the Fourth Geneva Convention and other basic principles protecting human rights;
- the illegality of administrative measures taken to modify the legal status of Jerusalem contrary to UNSC resolutions;
- the need to preserve the special status of Jerusalem; and
- the need to wait for the final determination of the status of Jerusalem."

THE PRIVATE ACTION

14. (C) Although the GOCR had been preparing for this decision for some time (as evidenced by how swiftly the MFA issued its detailed legal brief), the suddenness of the decision took many, including us, by surprise. MFA contacts told Pol/C and Poloffs on August 16 that "Don Oscar" himself had made the decision, with little advance coordination.

15. (C) How the Israelis themselves were informed by the GOCR is illustrative. Amb.-designate Ehud Eitam called on Ambassador Langdale the evening of August 15 to explain (Ref A). Eitam said his Charge had been summoned by FonMin Bruno Stagno a few hours earlier, without explanation. Stagno told the Charge that Arias himself had made the decision, although the "entire" GOCR agreed. Costa Rica had "paid dearly" with the Arab world for having its embassy in Jerusalem, Stagno continued, adding that Arias would make the announcement on August 16. Eitam said that his Charge, taken aback, noted the "very bad" timing of the decision, coming less than 48 hours after a fragile calm had begun in south Lebanon. Costa Rica seemed to be punishing Israel just as it was pursuing peace. Stagno countered that the GOCR had planned to move the Embassy for some time; this was in fact part of Arias,s election platform. Costa Rica in fact had waited until the Hezbollah-Israeli violence was over, and was now giving the GOI advance notice. According to Eitam, Stagno also asked the Israelis to inform the U.S.

16. (C) Eitam called the GOCR decision "very grave." Hezbollah would claim the Embassy move as a victory, making it appear to be a "prize for terrorism." He said the Israeli Embassy had expected the GOCR decision at some point in the future, but they were caught completely off guard by the timing. The GOI had just expressed support for Costa Rica,s seat on the UNSC in 2008, and Costa Rica,s small Jewish community had backed Arias,s election. Even a call from Shimon Peres proved fruitless. Arias reportedly told Peres he "could not back out" of his campaign pledge, according to Eitam. The GOI now feared that El Salvador, with the last remaining embassy in Jerusalem, would be under enormous pressure to follow suite and move to Tel Aviv (Ref B).

17. (C) FM Stagno maintained to the Ambassador on August 17 that there had been no meaningful international blowback from the GOCR,s decision. There was no good time to make the decision, so Arias wanted to act early in his administration. Stagno insisted the GOCR really was waiting for the right moment, had consulted closely with President Saca in El

Salvador, and had refrained from acting until the violence in Lebanon was over. The government had briefed the legislative assembly, he added, so that the entire GOCR concurred, and to avoid a potential constitutional challenge from the legislature,s three Jewish members. (Arias summoned all the faction leaders the evening of August 15 to advise them of his decision.) The Ambassador stressed USG concern with how the GOCR handled the decision and especially with the lack of prior consultation, especially given the Secretary,s deep involvement in brokering the cessation of hostilities and UNSCR 1701. He urged Stagno and the GOCR to work more closely with the USG on issues of strong mutual interest.

COMMENT

18. (C) We suspect that the decision to move the Embassy was timed more to Arias,s 100-day marker than to anything else. This was an "easy" executive branch decision he could add to his (short) list of achievements thus far, and it provided another opportunity for Don Oscar to remain involved in global issues. Arias,s stature, advocacy for human rights and defense of international law would be employed more effectively in this hemisphere, however, particularly in Cuba. We will continue to nudge him in that direction.
FRISBIE